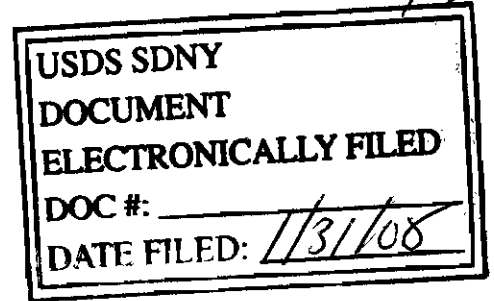


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OLTARSH & ASSOC.



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
JULIAN PENA, A#97-506-747,

Plaintiff,

v.

DEPARTMENT OF HOMELAND SECURITY, THE  
U.S. CITIZENSHIP AND IMMIGRATION  
SERVICES, and the FEDERAL BUREAU OF  
INVESTIGATION,

Defendants.  
-----X

07 Civ. 7730 (PKC) (MHD)

ECF CASE

**STIPULATION AND ORDER OF WITHDRAWAL**

IT IS STIPULATED AND AGREED, by and between the undersigned counsel  
for the parties, that the above-captioned action be, and hereby is, dismissed as moot,  
without costs or attorney's fees to any party.

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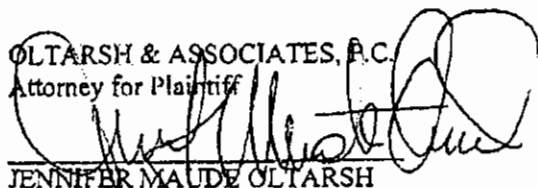
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OLTARSH & ASSOC.

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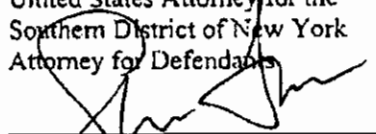
Dated: 1/26, 2008  
New York, New York

OLTARSH & ASSOCIATES, P.C.  
Attorney for Plaintiff

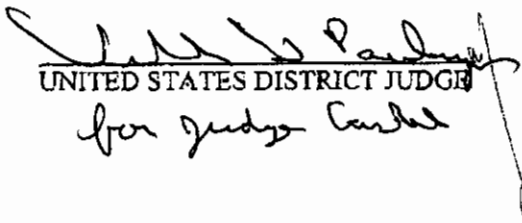
  
JENNIFER MAUDE OLTARSH  
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Dated: 1/28, 2008  
New York, New York

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Fax: (212) 637-2686

SO ORDERED:

  
UNITED STATES DISTRICT JUDGE  
for Judge Cardozo